

Please see the bellows for the details of Korean Mandatory Leave scheme. This portion of Labor Standards Act will give you a brief information of working hour/days for your investment plan.

Mandatory Leaves in Korea

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Types of Leave	Applicable Laws or regulations	Eligible Criterion	Benefits
Annual Leave	. Labor Standard Act	. Employee who served 80% or more for last full year	. Basic 15 days and Max 25 days . It'll be added 1 day per every 2 years' service but not counting the first year.
Menstruation Leave	. Labor Standard Act	. Females employee	. To take one day off every month but not paid.
Maternity Leave	. Labor Standard Act	. Females employee who will deliver a child	. 90 days . 45 days must be taken after delivering the child.
Childcare Leave for Spouse	. Law of Gender equal employment and assistance of compatibility of work and Home	. Male employee who wife delivered a child	. 3 days or more within 5 days. . Only first 3 days are paid leave.
Parental Leave	. Law of Gender equal employment and assistance of compatibility of work and Home	. 1 year service prior the beginning of childcare Leave . Spouse should not be on parental leave.	. Prior to child's 6 th birthday before entering the elementary school . Employee can apply for 1 year Parental Leave which can't be rejected.
Family Care Leave	. Law of Gender equal employment and assistance of compatibility of work and Home	. Employee whose family has disease, accident and old age	. Maximum 90 days which can be used in several times . Leave day for one time must be 30 days or more . When leave is not allowed for business reason, employer must try to introduce flexible working time scheme

Please see the attachment of the relevant law and regulation for your reference.

Labor Standard Act.

Article 60 (Annual Paid Leave)

- (1) Every employer shall grant any worker who has worked not less than 80 percent of one year a paid leave of 15 days.
- (2) Every employer shall grant any worker who has continuously worked for less than one year or who has worked less than 80 percentage of one year one paid-leave day for each month during which he/she has continuously worked.
- (3) Where an employer grants any worker a paid leave for the latter's first year of work, the former shall grant the latter a paid leave of 15 days, including the paid-leave referred to in paragraph (2), and, if the latter has already taken the paid-leave provided for in paragraph (2), deduct the number of days of such paid-leave from the said 15 days.
- (4) Every employer shall grant any worker who has continuously worked for not less than three years paid-leave days that are calculated by adding one day for every two continuously working years not including the first one year to the 15 paid-leave days referred to in paragraph (1). In this case, the total number of paid-leave days, including the additional paid-leave days, shall not exceed 25 days.
- (5) Every employer shall grant the paid leave referred to in paragraphs (1) through (4) at the time when a worker files a claim therefor and pay the worker an ordinary wage or an average wage during the period of paid leave as prescribed by the rules of employment, etc.: Provided, That in the event that granting the worker a paid leave at the time when such worker wants to take the paid leave greatly impedes the business operation, the relevant employer may change the time of the paid leave.
- (6) In applying paragraphs (1) through (3), any of the following periods shall be deemed the period of attendance at work:
 1. Period during which a worker takes time off due to any injury or sickness arising out of duty;
 2. Period during which a woman in pregnancy takes time off due to the leave under the provisions of Article 74 (1) through (3).
- (7) The paid leave referred to in paragraphs (1) through (4) shall, if it is not taken for one year, be terminated by time limitation: Provided, that the same shall not apply where the paid leave is not taken for reasons attributable to the employer.

Article 61 (Measures to Urge Workers to Take Annual Paid Leave)

Where any worker's paid leave is terminated by time limitation pursuant to the main sentence of Article 60 (7) after the worker fails to take his/her paid leave although the relevant employer has taken the measures falling under each of the following subparagraphs to urge workers to take their respective annual leave pursuant to Article 60 (1), (3) and (4), the relevant employer is not liable to indemnify the worker for his/her failure to take the paid leave and his/her failure to take the paid leave shall be deemed not to fall under the reasons attributable to the employer provided for in the proviso to Article 60 (7):

1. Any employer shall notify in writing every worker of the number of days of his/her paid leave that has not been taken and to urge every worker to notify the former of a period during which he/she intends to take his/her paid leave after deciding on such period within ten days as of six months before the period provided for in the main sentence of Article 60 (7) expires;
2. An employer shall notify in writing any worker who does not take his/her paid leave after setting a period during which the latter may take his/her paid leave by not later than two months before the period provided

for in the main sentence of Article 60 (7) expires, in the event that the worker fails to notify the employer of a period during which the former intends to take, in whole or in part, his/her paid leave which has not been taken, within ten days from the date on which he/she is urged to take his/her paid leave, notwithstanding the urge referred to in subparagraph 1.

Article 62 (Substitution of Paid Leave)

An employer may, by a written agreement with the labor representative, get workers to take a paid leave on a particular working day in substitution of an annual paid leave provided for in Article 60.

Article 73 (Monthly Menstruation Leave)

Every employer shall, when any female worker files a claim for a menstruation leave, grant her one day of menstruation leave per month.

Article 74 (Protection of Pregnant Women and Nursing Mothers)

- (1) An employer shall grant a pregnant woman a 90-day maternity leave before and after childbirth. In such case, after the childbirth, 45 days or more of the leave period shall be allotted.
- (2) Where a pregnant female worker requests the leave under paragraph (1) due to her experience of miscarriage or other reasons prescribed by Presidential Decree, an employer shall allow her to use the leave at multiple times any time before her childbirth. In such cases, the period of leave after the childbirth shall be at least 45 days consecutively.
- (3) Where a pregnant woman has a miscarriage or a stillbirth, an employer shall, upon the relevant worker's request, grant her a miscarriage/stillbirth leave as prescribed by Presidential Decree: Provided, That the same shall not apply to an abortion carried out by an operation for an artificial abortion (excluding the cases under Article 14 (1) of the Mother and Child Health Act).
- (4) The first 60 days in the period of leave under paragraphs (1) and (3) shall be stipendiary: Provided, that when the leave allowances before and after childbirth, etc. have been paid under Article 18 of the Equal Employment Opportunity and Work-Family Balance Assistance Act, the payment responsibility shall be exempted within the limit of the relevant amount.
- (5) The employer shall not have a female worker in pregnancy assigned to an overtime work, and, if there exists a request from the relevant worker, he/she shall transfer her to an easy type work.
- (6) The business owner shall reinstate her to the same work or to the work for which wages of the same level as before leave are paid after the end of a maternity leave under paragraph (1).

Law of Gender equal employment and assistance of compatibility of work and Home

Article 18 (Support for Maternity Leave)

- (1) The State shall provide those meeting certain conditions among the workers who took the maternity leave or miscarriage and stillbirth leave pursuant to Article 74 of the Labor Standards Act with the amount equivalent to the ordinary wages (hereinafter referred to as "maternity leave benefits, etc.") for the leave period concerned.
- (2) The maternity leave benefits, etc. paid under the provisions of paragraph (1) shall be considered to have been paid under the provisions of Article 74 (3) of the Labor Standards Act by an employer within the limit of the said amount.
- (3) Expenses required for paying the maternity leave benefits, etc. under paragraph (1) may be borne by the finance and the social insurance under the Framework Act on Social Security.
- (4) When a female worker intends to receive maternity leave benefits, etc., she shall actively cooperate in every procedure of drawing up, confirming, etc. the related documents.
- (5) Matters necessary for the conditions of, and duration and procedure for payment of maternity leave benefits, etc. shall be determined separately by law.

Article 18-2 (Paternity Leave)

- (1) If a worker requests leave for his spouse's childbirth, the employer shall grant him three-day leave.
- (2) A worker shall not be eligible to request the leave prescribed in paragraph (1), if thirty days or more have passed after his spouse's childbirth.

Article 19 (Childcare Leave)

- (1) An employer shall grant childcare leave, if a worker with a nursling or infant aged less than three years asks for leave to take care of the infant or toddler (hereinafter referred to as "childcare leave") :
Provided that this shall not apply in such cases as prescribed by the Presidential Decree.
- (2) The duration of childcare leave shall be one year or less.
- (3) An employer shall neither dismiss and give other unfavorable treatment to a worker on account of taking childcare leave as prescribed in paragraph (1), nor dismiss the concerned worker during the childcare leave period; Provided that this shall not apply when the employer is not able to continue his/her business.
- (4) An employer shall allow an employee whose childcare leave ends as prescribed in paragraph (1) to return to the same work which the employee used to do before the childcare leave or to the work paying the equivalent level of wages. Also, the period of the childcare leave prescribed in paragraph (2) shall be included in continuous service period of the employee.
- (5) Matters necessary for the application method, procedure, etc. of childcare leave shall be determined by the Presidential Decree.

Article 22-2 (Support for Workers' Family Caring, etc.)

- (1) In case a worker needs to take care of his/her family on account of the family member's illness, accident, ageing, etc., an employer shall make efforts to take a measure falling under any of the following subparagraphs:

1. Leave to nurse family;

2. Adjustment of starting and closing time of work;
 3. Limitation on overtime;
 4. Adjustment of working hours, including reduction and flexible operation of working hours; and
 5. Other support measures according to workplace conditions
- (2) An employer shall make efforts to provide necessary psychological counseling service in order to help his/her workers soundly maintain work and family.
- (3) In case an employer takes a measure according to paragraph (1), the Minister of Labor may provide necessary support in consideration of employment effects, etc.